

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN JEAN

Plaintiff,

NO. 4:20-CV-01722

v.

BUCKNELL UNIVERSITY,
NATIONAL FRATERNITY OF
KAPPA DELTA RHO, KAPPA
DELTA RHO – IOTA CHAPTER,
WILLIAM C. BABCOCK, DILLON
DUTTERA and NICHOLAS
ZANGHETTI

Defendants

[PROPOSED] ORDER

AND NOW, on this _____ day of _____, 20____, after
consideration of Defendant Bucknell University's Motion to Dismiss Plaintiff's
Amended Complaint and Plaintiff's Response in Opposition, it is ORDERED that
Defendant's Motion is DENIED.

BY THE COURT:

J.

**THE UNITED STATES DISTRICT COURT
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Defendants

**PLAINTIFF JOHN JEAN'S RESPONSE IN OPPOSITION TO
DEFENDANT BUCKNELL UNIVERSITY'S MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT**

Plaintiff, John Jean, by and through his counsel, files this Opposition to Defendant Bucknell University's Motion to Dismiss Plaintiff's Amended Complaint. In support, Plaintiff submits and relies on the attached Memorandum of Law, which shows that Plaintiff has pleaded valid claims against Defendant Bucknell. Specifically, under the facts of this case, Defendant Bucknell owed a duty to Plaintiff and Plaintiff pleaded valid claims of negligence, negligence *per se* and hazing against Defendant.

WHEREFORE, Plaintiff respectfully requests that the Court deny Defendant's Motion to Dismiss and allow Plaintiff's claims to proceed to discovery.

FREIWALD LAW, P.C.

By: 
AARON J. FREIWALD, ESQUIRE
LAURA E. LAUGHLIN, ESQUIRE
Counsel for Plaintiff

Dated: May 26, 2021

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Defendants

CERTIFICATE OF SERVICE

I, Aaron J. Freiwald, Esquire, hereby certify that a copy of the Plaintiff's Response in Opposition to Defendant Bucknell University's Motion to Dismiss Plaintiff's Amended Complaint was served by electronic filing upon the following:

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AARON J. FREIWALD, ESQUIRE

Dated: May 26, 2021